

REMARKS/ARGUMENTS

Claims 1-19 remain in the application, all of which stand rejected.

1. Rejection of Claims 1-19 Under 35 USC 102(a)

Claims 1-19 stand rejected under 35 USC 102(a) as being unpatentable over Clark et al. (US 2005/0081157 A1; hereinafter "Clark").

Without addressing the merits of the Examiner's rejection of claim 1, applicants note that claim 1 has been amended to better recite the interplay between the recited "selectable graphical displays" and "test". More specifically, claim 1 has been amended to add the following recitation:

wherein, in response to user selection of the two or more of the network analysis devices, and in response to user selection of the at least one network-related measurement, from the selectable graphical displays, the graphical user interface causes the two or more of the network analysis devices and the at least one network-related measurement to be added to the test.

Applicants assert that Clark does not disclose such an interplay between "selectable graphical displays" and a "test".

With respect to claim 1, the Examiner asserts that Clark discloses a GUI to "present a test" in Fig. 4a, wherein item 90a is "a graph of the performance of devices, which shows the overall and individual performance of the devices combined into a single view". The Examiner also asserts that Clark discloses "selectable graphical displays" in Fig. 4a, wherein item 54 is a "graphical tree of selectable devices". See, Office Action, p. 2, sec. 2. However, even assuming this to be the case (which applicants neither admit nor deny), Clark does not disclose an interplay between the item 54 and the item 90a wherein user selection of devices and measurements in the pane 54 cause the GUI 40 to add the devices and measurements to a test. Instead,

Clark only indicates that selection of an “entity” or “member” in the pane 54 can cause the results pane 50 to display entity-level or member-level results. For example, Clark states:

[0044] Referring now to FIGS. 4a and 4b, particular aspects of the scope pane 54 and results pane 50 are illustrated. FIG. 4a depicts an entity wide view 90a and FIG. 4b depicts a member view 94a respectively. Referring to FIG. 4a, the entity wide view 90a may be selected via a mouse for example by selecting display object 90b (e.g., entity node MyCluster). From the scope pane 54, a user may then navigate to a plurality of pages (e.g., displayed in the results pane 50 and/or via other menus) that provide performance and status views of the entity as a whole by selecting display object 90b, determine performance and status of each member (e.g., selecting display objects 90c or 90d), create/view/edit application manifests defined for the cluster by selecting display object 90e, view events logs aggregated for the cluster 90f, and view events logs and monitors specific to each member as described in more detail below.

Thus, selections made in pane 54 can change the set (or subset) of data displayed in pane 50. However, the selections made in pane 54 do not change the makeup of devices or measurements that are included in “a test” (i.e., selections made in pane 54 do not result in devices or measurements being added to a test; or put another way, the “Members” of the “MyCluster” entity remain the same, even though what is displayed in pane 50 may change from an entity-level to a member-level scope).

Claim 1 is believed to be allowable for at least the above reasons.

Claims 2-16 are believed to be allowable, at least, because they depend from claim 1.

Claims 17-19 are believed to be allowable, at least, for reasons similar to why claim 1 is believed to be allowable.

2. Conclusion

In light of the amendments and remarks provided herein, applicants respectfully request the issuance of a Notice of Allowance.

Respectfully submitted,
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